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COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

October 22, 2012

Erie County Legislature
92 Franklin Street – Fourth Floor
Buffalo, New York 14202

RE: Erie County Sewer District No. 2
Lake Street and Point Breeze Pumping Stations Project
Contract No. 79B - HVAC
Contract Close Out – MLP Plumbing and Mechanical, Inc.

Dear Honorable Members:

Enclosed please find an accompanying memorandum and proposed resolution from the Department of Environment and Planning, Division of Sewerage Management, pertaining to the close out of Contract No.79B with MLP Plumbing and Mechanical, Inc.

Should your honorable body require further information, I encourage you to contact Joseph L. Fiegl in the Department of Environment and Planning. Thank you for your consideration on this matter.

Sincerely,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP:EP:ms
Enclosure

C: J. Fiegl – Environment and Planning

MEMORANDUM

To:	Honorable Members of the Erie County Legislature
From:	Department of Environment and Planning
Re:	Erie County Sewer District No. 2 Lake Street and Point Breeze Pumping Station Project Contract No. 79B - HVAC Contract Close Out – MLP Plumbing and Mechanical, Inc.
Date:	October 9, 2012

SUMMARY

Acceptance and approval of Contract No. 79B in the final contract amount of $269,960.02 together with Change Order No. 2 (final) providing a decrease of $4,306.88 in Erie County Sewer District No. 2 Bond Account C.00004, as well as authorization to issue final payment to the contractor, MLP Plumbing and Mechanical, Inc., is requested.

FISCAL IMPLICATIONS

There will be no impact on the County's General Fund. The funds for this contract were allocated from Erie County Sewer District No. 2 Bond Account No. C.00004.

REASONS FOR RECOMMENDATION

All scheduled improvements required by the contract documents have been completed. As a result, it is the Department's recommendation to finalize this contract.

BACKGROUND INFORMATION

Contract No. 79B was bid on June 25, 2009 and awarded by the Erie County Legislature on July 9, 2009, Legislative Comm. 11E-7(2009). This contract installed heating, ventilation, and air conditioning equipment for the new Lake Street and Point Breeze Pumping Stations in Erie County Sewer District No. 2.

CONSEQUENCES OF NEGATIVE ACTION

Contract default on the part of the County of Erie could be claimed by the Contactor.

STEPS FOLLOWING APPROVAL

The County of Erie will execute the final change order and make a final payment to MLP Plumbing and Mechanical, Inc.

COMPTROLLER'S OFFICE REVIEW

The proposed legislation has been reviewed by the Comptroller's Office and is related to an authorized capital project for which there are sufficient capital appropriations for the action proposed.

Signed Lorne H. Steinhart **Date** October 12, 2012
Title Lorne Steinhart
Deputy Comptroller

Maria R. Whyte
Maria Whyte
Commissioner

EAP:ms
Encl.
Cc: M.Whyte
J.Fiegl/0.11.0 Leg.Ltr (w/encl.)
J.Carr/J.Mallory/J.Russell/2.3.3.79B (w/encl.)
S.Tirone

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A RESOLUTION SUBMITTED BY
Department of Environment and Planning

RE: Erie County Sewer District No. 2
Lake Street and Point Breeze Pumping Station Project
Contract No. 79B - HVAC
Contract Close Out – MLP Plumbing and Mechanical, Inc.

WHEREAS, pursuant to Legislative Comm. 11E-7 (2009) Contract 79B was awarded to MLP Plumbing and Mechanical, Inc. for the installation of heating, ventilation and air-conditioning equipment for the Lake Street and Point Breeze Pumping Stations; and

WHEREAS, the Erie County Division of Sewerage Management has advised that all scheduled improvements are now completed; and

WHEREAS, the Erie County Department of Environment and Planning has recommended the acceptance of Contract No. 79B, Lake Street and Point Breeze Pumping Stations Project, in the final contract amount of $269,960.02 which includes Change Order No. 2 (final), a decrease of $4,306.88, and recommends approval for final payment.

NOW, THEREFORE BE IT

RESOLVED, that Contract No. 79B, Lake Street and Point Breeze Pumping Stations Project between the County of Erie and MLP Plumbing and Mechanical, Inc. (3198 Union Road, Suite 300, Cheektowaga, NY 14227) is accepted in the final contract amount of $269,960.02 which includes Change Order No. 2 (final), a decrease of $4,306.88, and is allocated in Erie County Sewer District No. 2 Bond Account C.00004; and be it further

RESOLVED, that the Erie County Comptroller be directed to make final payment for Contract 79B, Lake Street and Point Breeze Pumping Stations Project to MLP Plumbing and Mechanical, Inc. for a total contract amount of $269,960.02; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one (1) certified copy each to the County Executive, the Erie County Comptroller, the Director of Budget and Management and Kristen Walder, Assistant County Attorney and two (2) certified copies of this resolution to Joseph L. Fiegl, P.E., Department of Environment and Planning.